

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
01/23/2002

01/15/2002

CLERK OF THE COURT
FORM R102B

JUDGE PRO TEM WM. DAVID ANDERSON

Julie Bower
Deputy

CR 2001-017840

FILED: _____

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

FRANK CONDIDO HAUBER

SUZETTE I PINTARD

APO-PLEAS-CCC
VICTIM WITNESS DIV-CA-CCC

WAIVER OF PRELIMINARY HEARING AND
PLEA AGREEMENT ARRAIGNMENT PROCEEDINGS

3:18 p.m. State is represented by Deputy County Attorney Armando Rodriguez on behalf of the above-named counsel. Defendant is present and represented by Deputy Public Defender Robert Lerman on behalf of the above-named counsel.

Court Reporter, Pam Celske, is present.

Defendant is advised as to the prior waiver of right to a Preliminary Hearing and Plea Agreement signed by Defendant and counsel.

The Defendant states true name as is noted in the agreement.

The Court advises the Defendant as to the range of possible sentences for the offense, including whether or not probation is available and any other conditions imposed by statute, including

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special requirements for probation, if available. The Court further advises the Defendant as to all constitutional rights waived by the Plea Agreement.

The Court further advises the Defendant that by entering into a plea agreement that he waives the right to have the Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

The parties indicate that they believe that the Defendant has no violent crime convictions or previous drug convictions. The Defendant is therefore advised of the penalties for first-time drug offenses under A.R.S. Section 13-901.01(A).

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

The Defendant enters a plea of Guilty to the following crime:

OFFENSE: (Amended) Count 1: Possession of Marijuana, a class one (1) Misdemeanor, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3405, 3418, 707, 802, and 901.01(A) committed on December 2, 2001.

The plea of the Defendant is accepted and entered of record.

The Defendant having waived all applicable time limits,

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IT IS ORDERED proceeding with time for entry of judgment of guilt and sentencing at this time before Judge Pro Tem Wm. David Anderson.

IT IS FURTHER ORDERED that the motion to dismiss Count 2 as reflected in the Plea Agreement, will be deemed submitted at the time of sentencing.

IT IS FURTHER ORDERED affirming prior release orders.

IT IS ORDERED vacating any pending dates.

FILED: Plea Agreement.

3:22 p.m. Sentencing proceeds at this time.